

APR 19 2008

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

MUR 5572

COMPLAINT FILED October 18, 2004

DATE OF NOTIFICATION October 25, 2004

LAST RESPONSE RECEIVED Nov 23, 2004

DATE ACTIVATED September 13, 2005

EXPIRATION OF SOL December 31, 2008

COMPLAINANT

**William J Lynch, Chairman Rhode Island
Democratic State Committee**

RESPONDENTS

**David W Rogers,
Special Operations Fund f/k/a Rogers for Congress,
and Christian Winthrop, in his official capacity as
Treasurer,
Friends of Dave Rogers, and
Christian Winthrop, in his official capacity as
Treasurer**

RELEVANT STATUTES

**2 U S C § 439a
2 U S C § 432(e)
2 U S C § 434(a)
11 C F R § 113.1**

INTERNAL REPORTS CHECKED

Disclosure Reports

FEDERAL AGENCIES CHECKED

Office of the Clerk, U S House of Representatives

I. INTRODUCTION

**This matter arises from a complaint alleging that David Rogers and his 2002 and 2004
campaign committees, Friends of Dave Rogers and Rogers for Congress, respectively, violated
2 U S C § 439a when David Rogers converted contributions to his personal use by selling or**

renting contributor lists developed by his campaign committees, and retaining the proceeds from that sale as personal "salary" ¹

In early 2005, after the complaint was filed, Rogers' 2004 principal campaign committee, Rogers for Congress, filed amended Statements of Organization converting itself to an unauthorized, nonconnected committee called Special Operations Fund. This conversion and documents filed with the Commission after the conversion, which appear to seek contributions for Rogers' congressional candidacy, raise the question of whether David Rogers is currently a candidate for federal office. Thus it appears that Rogers violated the Act by failing to file a Statement of Candidacy designating a properly named principal campaign committee and by failing to file quarterly reports of receipts and expenditures for the 2006 election cycle.

II. FACTUAL AND LEGAL ANALYSIS

A. Factual Background

1. David W. Rogers

David W. Rogers was the Republican candidate for Congress in Rhode Island's First Congressional District in the 2002 and 2004 general elections. He has not filed a Statement of Candidacy for the 2006 election cycle as of this date.

Rogers' U.S. House of Representatives Financial Disclosure Statement, filed on July 17, 2004, reveals \$44,000 in "salary" income received in 2003 from BMW Lists and \$28,000 in

¹ Complainant also contends that the alleged violations may involve knowing and willful conduct by Rogers under 2 U.S.C. § 437g(d)(1). Since the payment Rogers received in 2003 for the sale of the contributor lists exceeded \$25,000, Complainant urges the Commission to consider referring the matter to the Department of Justice as an apparent violation of the Act under 2 U.S.C. § 437g(c).

1 salary income received during the first half of 2004 from BMW Lists² A Providence Journal
2 news article from October 5, 2004, submitted with the Complaint, states that "[h]is income last
3 year, \$44,000 came from BMW Lists, the direct-mail list acquisition company that has had a key
4 role in his fundraising Rogers said the earnings came from selling them his contributor lists "
5 [sic] A Memorandum of Understanding, dated October 1, 2001, provided by Respondents with
6 their response to the complaint, purports to create co-ownership rights in the campaign donor
7 lists for David Rogers and Friends of Dave Rogers³ The response appears to acknowledge that
8 the "salary" payments from BMW Lists to David Rogers were in connection with the sale or
9 rental of contributor lists developed by his campaign committees

10 **2. Friends of Dave Rogers**

11 Friends of Dave Rogers was the principal campaign committee for David Rogers' 2002
12 campaign for Congress The committee's treasurer is Christian Winthrop The committee filed
13 several reports with the Commission, the last dated July 15, 2003, seeking to terminate as a
14 political committee Due to a failure to respond to certain questions from RAD about the
15 requested termination, the committee was not allowed to terminate and has been sent multiple
16 failure to file notices, the last dated February 17, 2006 The committee has not responded to any
17 of these notices]

18

² This Office does not have any further income information for Rogers Although Rogers was required to file Financial Disclosure Statements with the U S House of Representatives under the Ethics in Government Act for each year he was a candidate, he only filed one Financial Disclosure Statement, on July 17, 2004

³ Respondents did not submit a similar MOU between David Rogers and Rogers for Congress, the 2004 committee

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1 3. Special Operations Fund f/k/a Rogers for Congress

2 Rogers for Congress was the principal campaign committee for David Rogers' 2004
3 campaign for Congress. At the time of the complaint, Michael Rogers was the treasurer of
4 Rogers for Congress.⁵ Rogers for Congress was formed in February of 2003, prior to Friends of
5 Dave Rogers filing its first termination report. As of January 1, 2005, Rogers for Congress had
6 \$78,720.53 cash on hand and \$39,000 in debt.

7 In February and March of 2005, after having received notice of the complaint in this
8 matter, Rogers for Congress changed its name and type of organization through two amended
9 Statements of Organization. Rogers for Congress first changed its name to Special Operations
10 Fund. In a subsequent filing, Special Operations Fund reported that it was to be an unauthorized,
11 nonconnected political committee.⁶ Throughout Spring 2005 and as recently as June 2005, the
12 committee was using both names, Rogers for Congress and Special Operations Fund, in the same
13 correspondence. For example, in response to several RFAs from RAD regarding its 2004
14 reports, the committee submitted letters that were signed "Rogers for Congress/Special
15 Operations Fund." See Attachment 1.

⁵ Michael Rogers was formerly the treasurer for Rogers for Congress and was identified as such in the Complaint. In accordance with the Commission's Treasurer Policy, Michael Rogers has been replaced as a Respondent in this MUR with the successor treasurer of the re-named committee, Christian Winthrop.

⁶ The first amendment, in February of 2005, changed the name of the committee and changed the type of the committee to a separate segregated fund. The second amendment, in March of 2005, changed the type of committee to a "committee [that] supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee." Although the two amendments were filed approximately a month apart, the dates on the amendments next to the treasurer's signature are only days apart. Therefore, this Office is assuming for purposes of this analysis that the committee made a mistake in its first amendment and meant to file the second amendment only days after the first but for some reason failed to file the second amendment for about a month.

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1 In addition, the committee filed two miscellaneous letters with the Commission.⁷ The
2 first letter was a solicitation form letter on "Dave Rogers (R-RI)" letterhead. The letter appears
3 to solicit funds for Rogers to run for Congress again. See Attachment 2. The letter contains a
4 "Paid for by Special Operations Fund" disclaimer. The disclaimer fails to state that the
5 communication is "not authorized by any candidate or candidate's committee" as required by the
6 Commission's regulations. The letter does not state to whom checks should be made payable,
7 but instead directs the contributor to send contributions to "Dave Rogers c/o Special Operations
8 Fund" at a P O Box in Washington, DC.⁸ The second letter filed with the Commission was a
9 form letter thanking the contributor for his or her contribution to the Special Operations Fund
10 and requesting employer and occupation information. The letter, signed by Rogers, is on Dave
11 Rogers for Congress letterhead and has a "Paid for by Dave Rogers for Congress" disclaimer at
12 the bottom. See Attachment 3.

13 During 2005, Special Operations Fund received \$216,530.97 in contributions and made
14 \$257,612.50 in disbursements. Of its 2005 disbursements, Special Operations Fund made a total
15 of \$2,750 in contributions to eleven federal campaigns.

⁷ It is unclear exactly why these two letters were filed with the Commission, but it appears likely that they were filed in response to an RFAI from RAD as examples of the committee's "best efforts" to obtain data from contributors.

⁸ The address for Special Operations Fund is listed in the committee's Statement of Organization as being in Rhode Island.

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B. Analysis

1. Contributor Lists

The Act states that a "contribution accepted by a candidate" "shall not be converted by any person to personal use " 2 U S C § 439a(b)(1) "A contribution or donation shall be considered to be converted to personal use if the contribution or amount is used to fulfill any commitment, obligation, or expense of a person that would exist irrespective of the candidate's election campaign " 2 U S C § 439a(b)(2) The Commission's regulations state that "the Commission will determine, on a case-by-case basis whether uses of funds in a campaign account" constitute "personal use " 11 C F R § 113 1(g)(1)(u) The regulations then state that "the transfer of a campaign committee asset is not personal use so long as the transfer is for *fair market value* " 11 C F R § 113 1(g)(3) (emphasis added)

Rogers' committees apparently used contributions received in the 2002 and 2004 election cycles to develop one or more contributor lists Indeed, the committees' reports contain multiple expenditures to various direct mail and list vendors, including BMW Lists, throughout the 2002 and 2004 campaigns When the lists were sold or rented, the proceeds were paid to Rogers as "salary " In that manner, the principal campaign committees converted contributions to the personal use of Rogers

David Rogers apparently sold a contributor list or lists developed by Friends of Dave Rogers and/or Rogers for Congress to a vendor, BMW Lists, and retained the proceeds (\$72,000 total) for his personal use A candidate cannot personally profit from the sale of his own committee's mailing list simply because he "lent" his name or likeness to the committee for a fundraising solicitation Indeed, the principal campaign committee would not need or be seeking

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1 the candidate's name or likeness on a fundraising solicitation unless the individual had decided to
2 run for federal office

3 The fact that Rogers and Friends of Dave Rogers entered a Memorandum of
4 Understanding ("MOU") purporting to grant Rogers a co-ownership interest in the lists does not
5 change the analysis. The scenario presented by this matter appears more like self-dealing than a
6 fair market exchange. Neither the Act nor the Commission's Regulations allow parties to
7 contract around the personal use provisions. The MOU evidences the Committee's role in
8 converting its assets, i.e., assets it developed and paid for with contributions to the campaign
9 committee, to personal use.⁹

10 In their response to the Complaint, Respondents cite AOs 1981-46 and 1982-41 and
11 MURs 4383/4401 (Dole for President et al.) and 5181 (Ashcroft 2000/Spirit of America PAC)
12 and MUR 5160 (Friends of Giuliani) as evidence that the Commission has approved certain
13 "commercially reasonable" transactions whereby a candidate obtains a co-ownership interest in
14 the names of those responding to a fundraising solicitation using the candidate's name or
15 likeness. This matter is easily distinguishable from those matters in one very important aspect.
16 Although the cited AOs and MURs reflect a practice of an individual taking an ownership
17 interest, usually limited to a one-time use, in a list of names developed from responses to a
18 solicitation or other mailing using the particular individual's name, signature, or likeness, none of
19 the situations confronting the Commission involved a candidate taking a personal ownership

⁹ Although a candidate is permitted under certain circumstances to take a limited amount of salary payments from his principal campaign committee, the regulations specify that the salary must be paid and reported by the principal campaign committee. See 11 C.F.R. § 113.1(g)(1)(i)(I). In this case, the payments Rogers categorized as "salary" on his U.S. House of Representatives Financial Disclosure Statement came from BMW Lists, not his principal campaign committee. Therefore, the payments from BMW Lists do not conform to the limitations set forth in 11 C.F.R. § 113.1(g)(1)(i)(I).

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1 interest in a list developed and owned by his or her own principal campaign committee In other
2 words, each of the MURs and AOs cited by Respondents are situations in which 2 U S C § 439a
3 is inapplicable

4 In a Statement of Reasons written for MUR 5181 (Ashcroft 2000/Spirit of America
5 PAC), Commissioners Mason and Toner indicated that "if the Commission were to treat property
6 (mailing lists) that are personally owned by a candidate per se as property of his authorized
7 committee (absent, for instance, a joint ownership agreement), the statute's separate segregated
8 fund and personal use rules would be vitiated " MUR 5181, Statement of Reasons of
9 Commissioners Mason and Toner, p 11 Unlike in that MUR where then-Senator Ashcroft was
10 purportedly given an ownership interest in a mailing list by his Leadership PAC that was then
11 transferred to his principal campaign committee, in this matter the candidate's principal
12 campaign committee developed and first had the ownership interest in the mailing list There
13 was a MOU purporting to convey a joint ownership interest to the candidate personally But in
14 this situation where the original ownership interest lay with the principal campaign committee,
15 the MOU itself vitiates the personal use rules

16 Based on the above, this Office recommends that the Commission find reason to believe
17 that David W Rogers, Friends of Dave Rogers and Christian Winthrop, in his official capacity as
18 treasurer, and Special Operations Fund f/k/a Rogers for Congress and Christian Winthrop, in his
19 official capacity as treasurer, violated 2 U S C § 439a and 11 C F R § 113.1

20 **2. Conversion of Rogers for Congress to Special Operations Fund**

21 Potential violations of the Act also arise in connection with the conversion of Rogers for
22 Congress to the unauthorized committee, Special Operations Fund It appears that Rogers may

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1 still be a candidate for federal office. If so, then the consequence of his having converted his
2 principal campaign committee to an unauthorized committee, is that he violated the Act's
3 requirement that candidates properly designate and name their principal campaign committees

4 A "candidate" is

5 an individual who seeks nomination for election, or election, to Federal office,
6 and an individual shall be deemed to seek nomination for election, or election
7 – (A) if such individual has received contributions aggregating in excess of \$5,000
8 or has made expenditures aggregating in excess of \$5,000, or (B) if such
9 individual has given his or her consent to another person to receive contributions
10 or make expenditures on behalf of such individual and if such person has received
11 such contributions aggregating in excess of \$5,000 or has made such expenditures
12 aggregating in excess of \$5,000
13

14 2 U S C § 431(2) "Each candidate for Federal office shall designate in writing a political
15 committee to serve as the principal campaign committee of such candidate " 2 U S C

16 § 432(e)(1) "The name of each authorized committee shall include the name of the candidate
17 who authorized such committee under paragraph (1) " 2 U S C § 432(e)(4) Finally, in a
18 calendar year in which there is not a regularly scheduled election for which the candidate is
19 seeking election, the principal campaign committee shall file reports of receipts and
20 disbursements quarterly 2 U S C § 434(a)(1)-(2)

21 Although Rogers has not filed a Statement of Candidacy for the 2006 election, there are
22 indications that he may still be a candidate for federal office ¹⁰ As discussed above, the
23 solicitation letter that Special Operations Fund filed with the Commission certainly appears to
24 solicit funds for Rogers as a candidate. For example, the letter notes that "I have to ask for your
25 urgent help once again " "Although I came up short this time in my campaign, I have not given

¹⁰ Rogers has not filed as a candidate with the Secretary of State of Rhode Island either, however, the filing deadline in Rhode Island is not until June 28, 2006, and the primary election is September 12, 2006

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1 up on my battle to defeat the liberal Kennedys" (emphasis added) "As a Seal, I have been
2 trained to never walk away from a fight without accomplishing my mission " "I need to raise at
3 least \$28,725 in the next 15 days – enough to begin putting money in our treasury for this cycle
4 to defeat the Kennedy's and their liberal allies at the polls " The letterhead, while not Rogers for
5 Congress or Special Operations Fund letterhead, appears more candidate-centered in stating
6 "David Rogers (R-RI)" at the top And although the "Paid for by Special Operations Fund"
7 disclaimer is at the bottom of the second page of the letter, Special Operations Fund is not
8 mentioned anywhere in the body of the letter See Attachment 2

9 The solicitation itself mentions no other candidates the group is supporting and seems
10 entirely focused on David Rogers The reply form portion of the letter states that contributions
11 should be sent to "Dave Rogers c/o Special Operations Fund" without any other indication as to
12 whom checks should be made payable Also, the letter was apparently sent to people who had
13 been contributors to Rogers' previous congressional campaigns The check off boxes are all
14 labeled based on comparisons to how much the same donor gave "last time" – twice as much,
15 50% more, or "same as last " The reply form also says, "Please know that I'm committed to
16 electing straight-talking, no-nonsense pro-military conservatives like you to the U S Congress to
17 help change our nation for the better " See Attachment 2

18 The timing and text of the solicitation also raises questions as to whether Rogers was
19 attempting to meet a fundraising goal before the quarterly reporting deadline for principal
20 campaign committees The letter is dated March 13, 2005 and states "I [Rogers] need to raise at
21 least \$28,725 in the next 15 days – enough to begin putting money in our treasury for this cycle

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1 to defeat the Kennedy's and their liberal allies at the polls "¹¹ And the reply form portion of the
2 letter states "You can count on me to help you raise the funds you need and meet this critical
3 fundraising deadline " See Attachment 2.

4 This language indicates that Rogers is running for Congress again, therefore, funds
5 received in response to the solicitation would be contributions under the Act The Commission's
6 regulations state that "a gift, subscription, loan, advance, or deposit of money or anything of
7 value made by any person in response to any communication is a contribution to the person
8 making the communication if the communication indicates that any portion of the funds received
9 will be used to support or oppose the election of a clearly identified Federal candidate "

10 11 C F R § 100 57 ¹² See also, *FEC v Survival Educ Fund, Inc* , 65 F 3d 285, 295 (2d Cir
11 1995) (where a statement in a solicitation "leaves no doubt that the funds contributed would be
12 used to advocate [a candidate's election or] defeat at the polls, not simply to criticize his policies
13 during the election year," proceeds from that solicitation are contributions) Although Rogers
14 has not filed a Statement of Candidacy for the 2006 election, the solicitation letter seems to be
15 requesting contributions to Rogers as a candidate

16 The committee also filed a form letter with the Commission thanking an individual for
17 his or her contribution and requesting employer and occupation information Although, the letter
18 thanks the individual for his or her contribution to Special Operations Fund, it is on Rogers for
19 Congress letterhead and contains the "Paid for by Dave Rogers for Congress" disclaimer at the
20 bottom See Attachment 3 And the reference in the letter to "continued work on behalf of all

¹¹ Rep Patrick Kennedy was Rogers' opponent in the 2002 and 2004 general elections

¹² The effective date of this regulation was November 23, 2004 The letter (Attachment 2) is dated March 13, 2005

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1 conservatives" is ambiguous at best, especially coming after the individual's contribution has
2 already been made

3 We do not know how much money Special Operations Fund spent on producing and
4 mailing the solicitation letter or how much was received in response to the letter

5 However, it appears that Rogers for Congress/Special Operations Fund took in \$4,660 in
6 contributions between January 1, 2005 and March 24, 2005 (the date the last amended Statement
7 of Organization was filed changing the committee type) From March 24, 2005 to June 30, 2005,
8 Special Operations Fund took in an additional \$7,287 in contributions Therefore, it seems
9 reasonable to investigate whether this solicitation, which appears to have resulted in more than
10 \$5,000 in contributions, was intended to raise funds for Rogers to run for Congress again, thereby
11 triggering candidate status See 2 U S C § 431(2)

12 If, as defined by the Act, Rogers was a candidate for the 2006 congressional election, then
13 he was required to file a statement of candidacy and designate a principal campaign committee,
14 the name of which was required to include his name 2 U S C § 432(e)(1),(4), 11 C F R
15 § 101.1 If Special Operations Fund was to be his principal campaign committee, then the name
16 would violate the Act by failing to include the name of the candidate 2 U S C § 432(e)(4)

17 Therefore, this Office recommends that the Commission find reason to believe that David
18 W Rogers, Special Operations Fund f/k/a Rogers for Congress and Christian Winthrop, in his
19 official capacity as treasurer, violated 2 U S C §§ 432(e) and 434(a) and 11 C F R § 101.1 by
20 failing to file a Statement of Candidacy designating and properly naming a principal campaign
21 committee for a Federal candidate and by failing to file quarterly reports of receipts and
22 expenditures during 2005

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IV. RECOMMENDATIONS

- 1) Find reason to believe that David W Rogers, Friends of Dave Rogers and Christian Winthrop, in his official capacity as treasurer, and Special Operations Fund f/k/a Rogers for Congress and Christian Winthrop, in his official capacity as treasurer, violated 2 U S C § 439a and 11 C F R § 113 1, and
- 2) Find reason to believe that David W Rogers, Special Operations Fund f/k/a Rogers for Congress, and Christian Winthrop, in his official capacity as treasurer, violated 2 U S C §§ 432(e) and 434(a) and 11 C F R § 101 1, and
- 3) Approve the attached factual and legal analyses,
- 4)
- 5) Approve the appropriate letters

Date

4/19/06


Lawrence H Norton
General Counsel


Rhonda J Voedingh
Associate General Counsel
for Enforcement



Mark Shonkwiler
Assistant General Counsel



Audra L. Wassom
Attorney

Attachments

- 1 Rogers for Congress/Special Operations Fund Letters in Response to RFAs
- 2 Dave Rogers (R-RI) Solicitation Letter
- 3 Dave Rogers for Congress Thank You Letter

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ETEXT ATTACHMENT

04/18/2005 17:37

**Federal Election Commission
989 E Street, NW
Washington, DC 20463**

ID Number 000385229

Reference Amended October Quarterly Report (9/26/04 - 9/30/04)

To Whom It May Concern

We are in receipt of the Commission's letter regarding the above referenced report. Please see below for our complete response.

We researched the contributors mentioned in your letter upon receipt. We did mistakenly accept an excessive contribution from both of them. This was due to the fact that our caging company that processed the returns of our direct mail program continued to do a poor job of informing us of when this happened as well as not suppressing these types of donors from future mailings. We realize that this is our responsibility and this is not acceptable.

We are mailing via USPS copies of the refund checks to these two donors. Please consider those copies the remaining portion of this response.

For the same reason stated above, these donors were not reported in a timely fashion. As you may have noticed, we did report 48 hour notices for these very donors in the surrounding days. I think this demonstrates that we were not intentionally hiding contributions or intentionally under reporting, but that we simply had poor systems in place.

Thank you for the opportunity to respond. Please contact us if more information is needed.

**Sincerely,
Rogers for Congress/Special Operations Fund**

ETEXT ATTACHMENT

04/18/2005 17:48

Federal Election Commission
999 E Street, NW
Washington, DC 20463

ID Number C00355228

Reference Amended 30 Day Post-General Report (10-14-04/11-22-04)

To Whom It May Concern

We are in receipt of the Commission's letter regarding the above referenced report. Please see below for our complete response.

We researched the contributor mentioned in your letter upon receipt. We did mistakenly accept an excessive contribution from this donor. This was due to the fact that our ongoing company that processed the returns of our direct mail program continued to do a poor job of informing us of when this happened as well as not suppressing these types of donors from future mailings. We realize that this is our responsibility and this is not acceptable.

We are mailing via USPS a copy of the refund check. Please consider those copies the remaining portion of this response.

After the filing of this report, it was learned that some activity contained in a spreadsheet that was meant to be reported had been misplaced and was mistakenly left off. Mostly, it was disbursements that had been made. This is the reason for the change in activity.

Our committee did have net debts outstanding as of this report and this is the reason that some contributions accepted after the general election date were accepted for the general election.

Thank you for the opportunity to respond. Please contact us if more information is needed.

Sincerely,
Rogers for Congress/Special Operations Fund

ETEXT ATTACHMENT

04/18/2005 17:48

Federal Election Commission
999 E Street, NW
Washington, DC 20463

ID Number 000385228

Reference Amended 12 Day Pre-General Report (10-1-04/10-13-04)

To Whom It May Concern

We are in receipt of the Commission's letter regarding the above referenced report. Please see below for our complete response.

After the filing of this report, it was learned that some activity contained in a spreadsheet that was meant to be reported had been misplaced and was mistakenly left off. Mostly, it was disbursements that had been made. This is the reason for the change in activity. The situation that resulted in the oversight no longer exists and we do not expect to have a repeat of this mistake.

Thank you for the opportunity to respond. Please contact us if more information is needed.

Sincerely,

Rogers for Congress/Special Operations Fund



DAVE ROGERS (R-RI)

RECEIVED
FEC MAIL
OPERATIONS CENTER

U.S. NAVY SEAL

MAR 10 - 3 P.M. 03

Tuesday, March 13, 2005

XXXXNAMEXXXXXX
XXXXADDRESS1XXXX XXXADDRESS2XXXX
XXXXCITYXXXX, XXXSTXXXX XXXZIPXXXX

DEAR XXXNAMEXXX,

FORGIVE ME FOR WRITING SUCH A SHORT LETTER TO YOU TODAY,
BUT I AM ABSOLUTELY CRUSHED FOR TIME.

MY FRIEND, YOU WERE ONE OF THE FIRST AND MOST LOYAL
SUPPORTERS IN MY BID FOR CONGRESS LAST YEAR AGAINST TED
KENNEDY'S LIBERAL SON, DEMOCRAT PATRICK KENNEDY.

I'M WRITING YOU AGAIN TODAY BECAUSE I HAVE TO ASK FOR YOUR
URGENT HELP ONCE AGAIN.

YOU SEE, ALTHOUGH I CAME UP SHORT THIS TIME IN MY CAMPAIGN,
I HAVE NOT GIVEN UP ON MY BATTLE TO DEFEAT THE LIBERAL KENNEDYS.

AS A CONSERVATIVE AND A NAVY SEAL, I KNOW HOW IMPORTANT IT
IS FOR AMERICA'S FUTURE THAT LIBERAL DEMOCRATS LIKE TED AND
PATRICK KENNEDY NEVER TO GO UNCHALLENGED IN THE PUBLIC ARENA.

THAT'S WHY WHEN I RAN AGAINST PATRICK KENNEDY, I NAILED HIM
FOR VOTING REPEATEDLY VOTING AGAINST THE NEEDS OF THE U.S.
MILITARY AND OUR NATIONAL SECURITY.

AS YOU KNOW, WITH CONGRESS NARROWLY CONTROLLED BY THE
REPUBLICAN PARTY AND WITH THE DEMOCRATS INTENT ON USING THE
FILIBUSTER IN THE U.S. SENATE AGAINST PRESIDENT BUSH, WE CAN BE
SURE THAT THE KENNEDY'S AND THEIR LIBERAL ALLIES WILL GO ALL OUT
TO DESTROY PRESIDENT BUSH'S CONSERVATIVE AGENDA.

AS A SEAL I HAVE BEEN TRAINED TO NEVER WALK AWAY FROM A
FIGHT WITHOUT ACCOMPLISHING MY MISSION.

I KNOW THAT THE BIG GOVERNMENT KENNEDY'S ARE PREPARING TO
UNLEASH AN ALL-OUT CAMPAIGN AGAINST MUCH NEEDED MILITARY PROGRAMS
AND CONSERVATIVES RUNNING FOR OFFICE BECAUSE THEY DISAGREE WITH
PRESIDENT BUSH'S PLANS TO DEFEND AMERICA.

ATTACHMENT

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of 2

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FOR THE LAST FOUR YEARS I HAVE WORKED PRACTICALLY AROUND
THE CLOCK TO SPEAK OUT AGAINST THE LEFT-WING KENNEDY AGENDA.

BUT I CANNOT DEFEAT THEM ALONE. THAT'S WHY I NEED YOU!

I NEED TO RAISE AT LEAST \$28,725 IN THE NEXT 15 DAYS --
ENOUGH TO BEGIN PUTTING MONEY IN OUR TREASURY FOR THIS CYCLE TO
DEFEAT THE KENNEDY'S AND THEIR LIBERAL ALLIES AT THE POLLS.

XXXNAMEXXX, IF EVERYONE REPLIES TODAY WITH A CONTRIBUTION,
WE WILL RAISE MORE THAN ENOUGH MONEY TO MEET THIS CRITICAL GOAL.

SO, IF YOU ARE ABLE TO SEND ME A GENEROUS GIFT OF \$2HPC
TODAY, PLEASE DO.

EVEN IF ALL YOU CAN SEND IS \$1.5HPC OR AT LEAST \$HPC, I
WOULD GREATLY APPRECIATE IT. LET'S KEEP THE PRESSURE ON THE
KENNEDY'S BY WORKING OVERTIME TO EXPOSE THEIR LIBERAL AGENDA FOR
WHAT IT IS -- A FAILURE. IT'S TIME TO TAKE ACTION - NOT JUST
TALK. I DESPERATELY NEED TO HEAR FROM YOU. PLEASE HELP ME MEET
THIS IMPORTANT DEADLINE. THANK YOU, XXXNAMEXXX.

\$\$\$ SIGNED: DAVE ROGERS, U.S. NAVY SEAL, REPUBLICAN-RI

-----EMERGENCY 15-DAY DEADLINE REPLY-----

(*XXXNAMEXXX, PLEASE MAIL BACK THIS ENTIRE PAGE WITH YOUR
MOST GENEROUS GIFT BY FRIDAY APRIL 29. **)

DEAR DAVE: YOU CAN COUNT ON ME TO HELP YOU RAISE THE FUNDS YOU NEED
AND MEET THIS CRITICAL FUNDRAISING DEADLINE. PLEASE KNOW
I'M COMMITTED TO ELECTING STRAIGHT-TALKING, NO-NONSENSE
PRO-MILITARY CONSERVATIVES LIKE YOU TO THE U.S. CONGRESS
TO HELP CHANGE OUR NATION FOR THE BETTER.

() \$2HPC (2X LAST TIME) () \$1.5HPC (50% MORE THAN LAST TIME)

() \$HPC (SAME AS LAST) () OTHER \$ _____ (THANK YOU)

FROM: XXXNAMEXXX
XXXADDRESSXXX
XXXCITYXXX, XXXSTXXX XXXZIPXXX
XXXSP03XXX XXCODEXXX

TO: DAVE ROGERS
C/O SPECIAL OPERATIONS FUND
P.O. BOX 96023
WASHINGTON, DC 20090

Paid for by Special Operations Fund. Contributions are not deductible for federal income tax purposes. Corporate contributions
and checks by foreign nationals are prohibited by law. Federal law requires all contributors whose contributions aggregate in
excess of \$200 per election calendar year to provide the following information:

Occupation _____ and Employer _____ Thank you very much!

ATTACHMENT 2
Page 2 of 2

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«date»

«mailname»

«address1»

«address2»

«city», «state», «zip»

Dear «salutation»

Thank you very much for your most recent contribution to the Special Operations Fund. It is supporters like you that make our continued work on behalf of all conservatives possible

Federal election law requires that we request the the employer and occupation of all contributors whom exceed \$200 in contributions in a calendar year. Please complete the information below and return in the enclosed self-addressed envelope

If you have any questions, please don't hesitate to contact us at 706.546 0282

Employer _____

Occupation _____

Thank you again for your staunch support

Sincerely,
Dave Rogers

PO Box 4946 • Middletown, RI 02842 • www.Rogers2004.com • info@Rogers2004.com

Paid for by Dave Rogers for Congress

ATTACHMENT 3
Page 1 of 1

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